

# **South Carolina Legislation Related To Energy**

Compiled by the South Carolina Energy Office

115<sup>th</sup> Session, 2003 – 2004

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## **Bills Introduced in 2003-2004**

### **Building Energy Codes**

Senate Bill 0079

Senate Bill 0103, Similar to Senate Bill 0118

Senate Bill 0118, Similar to Senate Bill 0103

Senate Bill 0133

Senate Bill 0181

Senate Bill 0449

House Bill 3418

House Bill 3524

### **Electricity, Natural Gas and Propane**

Senate Bill 0009, Similar to House Bill 3210

Senate Bill 0082

Senate Bill 0099

Senate Bill 0208

Senate Bill 0302

Senate Bill 0327

House Bill 3210, Similar to Senate Bill 0009

House Bill 3240

House Bill 3295

House Bill 3296

House Bill 3467

House Bill 3530

House Bill 3566

### **Transportation**

Senate Bill 0176

Senate Bill 0556, Similar to House Bill 3863

House Bill 3863, Similar to Senate Bill 0556

### **Nuclear Issues**

Senate Bill 0021

House Bill 3122

### **Other**

Senate Bill 0609, Similar to House Bill 4127

House Bill 4127, Similar to Senate Bill 0609

## **Bills Introduced in 2003-2004**

### **Building Energy Codes - Session 115 - (2003-2004)**

#### **S 0079 General Bill, By Alexander**

A BILL RELATING TO THE ISSUANCE AND RENEWAL OF CERTIFICATES OF REGISTRATION WITHOUT EXAMINATION TO BUILDING CODES ENFORCEMENT OFFICERS EMPLOYED IN CODES ENFORCEMENT FOR THEIR POSITION AND LOCATION AT THE TIME THIS CODE SECTION BECAME EFFECTIVE.

This bill will require all individuals to be employed by local jurisdictions as Code Enforcement Officers to be certified in their respective disciplines prior to employment. It eliminates unqualified people from conducting building inspections, including energy codes.

- 12/11/02 Senate Pre-filed SJ-8
- 12/11/02 Senate Referred to Committee on Labor, Commerce and Industry
- 01/14/03 Senate Introduced and read first time SJ-51
- 01/14/03 Senate Referred to Committee on Labor, Commerce and Industry SJ-51
- 02/18/03 Senate Committee report: Favorable with amendment Labor, Commerce and Industry SJ-10
- 02/19/03 Senate Amended SJ-49
- 02/19/03 Senate Read second time SJ-49
- 02/20/03 Senate Read third time and sent to House SJ-12
- 02/25/03 House Introduced and read first time HJ-8
- 02/25/03 House Referred to Committee on Labor, Commerce and Industry HJ-8

#### **S 0103 General Bill, By Hayes, Similar(S 0118)**

A BILL TO FURTHER PROVIDE FOR APPLICABLE STANDARDS, SPECIFICATIONS, CODES WHICH APPLY TO THE CONSTRUCTION, IMPROVEMENT, OR RENOVATION OF PUBLIC SCHOOL BUILDINGS AND PROPERTY, AND TO REQUIRE THE CONSTRUCTION, IMPROVEMENT, OR RENOVATION OF PUBLIC SCHOOL BUILDINGS AND PROPERTY TO BE INSPECTED BY THE STATE SUPERINTENDENT OF EDUCATION OR THE SUPERINTENDENT'S DESIGNEE BEFORE OCCUPANCY; AND TO REPEAL ARTICLE 1, CHAPTER 23, TITLE 59 OF THE 1976 CODE, RELATING TO SCHOOL BUILDING CODES AND INSPECTIONS.

Existing law requires a building codes inspection, including energy codes, of all described public school buildings and property by the State Superintendent of Education's Office of School Facilities. This bill would allow the State Superintendent the flexibility of appointing other qualified professionals, such as certified inspectors, registered architects or engineers to conduct those inspections.

**S 0103 General Bill, By Hayes, Similar(S 0118), continued**

- 12/18/02 Senate Pre-filed
- 12/18/02 Senate Referred to Committee on Education
- 01/14/03 Senate Introduced and read first time
- 01/14/03 Senate Referred to Committee on Education

**S 0118 General Bill, By Hayes, Similar(S 0103)**

A BILL TO SPECIFY VARIOUS PUBLICATIONS FOR REFERENCE TO APPLICABLE STANDARDS, SPECIFICATIONS, AND CODES THAT APPLY TO THE CONSTRUCTION, IMPROVEMENT, OR RENOVATION OF PUBLIC SCHOOL BUILDINGS AND PROPERTY, AND TO REQUIRE THE CONSTRUCTION, IMPROVEMENT, OR RENOVATION OF PUBLIC SCHOOL BUILDINGS AND PROPERTY TO BE INSPECTED BY THE STATE SUPERINTENDENT OF EDUCATION OR THE SUPERINTENDENT'S DESIGNEE BEFORE OCCUPANCY; AND TO REPEAL ARTICLE 1 OF CHAPTER 23, TITLE 59 RELATING TO SCHOOL BUILDING CODES AND INSPECTIONS.

Similar, as noted, to Senate Bill 0103, but also requiring specific various publications be made available for references to applicable standards, specifications, and codes, including those related to energy.

- 12/18/02 Senate Pre-filed
- 12/18/02 Senate Referred to Committee on Education
- 01/14/03 Senate Introduced and read first time
- 01/14/03 Senate Referred to Committee on Education

**S 0133 General Bill, By Giese**

A BILL TO ENACT THE BOILER REGISTRATION ACT OF 2003, TO PROVIDE THAT ALL BOILER AND PRESSURE VESSELS INSTALLED IN THIS STATE BE DESIGNED AND MANUFACTURED AND SEALED OR STAMPED UNDER A NATIONAL CODE AND REGISTERED WITH THE STATE FIRE MARSHAL ON REGISTRATION FORMS PROVIDED AND APPROVED BY THE DEPARTMENT OF LABOR, LICENSING AND REGULATION, PROVIDE FOR EXCEPTIONS, AND PROVIDE A PENALTY FOR FAILURE TO REGISTER A BOILER OR PRESSURE VESSEL OR INSTALL ONE NOT IN COMPLIANCE WITH THIS CHAPTER.

Most important safety measure for boiler registration. South Carolina is one of the few remaining states not requiring such a safety certificate.

- 01/08/03 Senate Pre-filed
- 01/08/03 Senate Referred to Committee on Labor, Commerce and Industry
- 01/14/03 Senate Introduced and read first time
- 01/14/03 Senate Referred to Committee on Labor, Commerce and Industry

**S 0181 General Bill, By Knotts, Setzler and Hutto**

A BILL TO PROVIDE THAT MEETING HUTS CONSTRUCTED BY OR FOR THE USE OF THE BOY SCOUTS OF AMERICA OR THE GIRL SCOUTS OF AMERICA ARE EXEMPT FROM COMPLIANCE WITH THE SOUTHERN BUILDING CODE.

This bill would exempt critical facilities to be used by certain young South Carolinians from meeting any current building codes, including energy codes.

- 01/14/03 Senate Introduced and read first time SJ-96
- 01/14/03 Senate Referred to Committee on Judiciary SJ-96

**S 0449 General Bill, By Leatherman**

A BILL TO UPDATE REFERENCES TO NATIONALLY RECOGNIZED BUILDING CODE ORGANIZATIONS AND MODIFY THE PROCEDURE BY WHICH BUILDING CODES ARE ADOPTED.

This bill would change the adoption and inspection procedures for building codes in South Carolina, as well as restructure the South Carolina Building Codes Council of 16 members. The committee on Labor, Commerce, and Industry reinserted the current energy codes with all current prescriptive codes as options, including use of computer models developed by PNNL, and the current alternative of R-30 ceiling, R-19 ceiling/roof combinations, R-13 walls, R-19 floors over crawl spaces, double pane windows or single pane windows with storm, and R-6 ductwork located in unconditioned spaces.

Previous references to the Southern Building Codes Congress and other model codes organizations, including International, Inc. (SBCCI), the International Conference of Building Officials (ICBO), and the Building Officials and Code Administrators International (BOCA), would be consolidated into references to the ICC, the International Code Council, since all have merged into that organization.

The Council, under this bill, would have a make up of: (1) an architect licensed in South Carolina; (2) an engineer licensed in South Carolina from a list of qualified candidates submitted to the Governor by the South Carolina Council of Engineering and Surveying Societies; (3) a residential home builder licensed in South Carolina from a list of qualified candidates submitted to the Governor by the Home Builders Association of South Carolina; (4) a general contractor licensed in South Carolina from a list of qualified candidates submitted to the Governor by the Association of General Contractors; (5) a representative of the modular building industry from a list of qualified candidates submitted to the Governor by the Manufactured Housing Institute of South Carolina; (6) a code enforcement officer registered in South Carolina; (7) a representative designated by the State Fire Marshal; (8) a municipal administrator, manager, or elected official; (9) a county administrator, manager, or elected official; (10) a representative designated by the State Engineer of the Budget and Control Board; (11) a representative of the general public who is not in the

**S 0449 General Bill, By Leatherman, continued**

practice of home or commercial safety inspection, construction, or building, and who does not have any financial interest in these professions, and who does not have any immediate family member in these professions; (12) a disabled person; (13) a representative of the property, casualty insurance industry; (14) a representative of the electrical industry who is either an engineer licensed in South Carolina or a master electrician; (15) a representative of the mechanical or gas industry who is either an engineer licensed in South Carolina or a master mechanic; and (16) a representative of the plumbing industry who is either an engineer registered in South Carolina or a master plumber.

Current seats deleted from this bill are a structural engineer registered in South Carolina; and a representative designated by the Director of the State Energy Office of the Budget and Control Board.

- 03/05/03 Senate Introduced and read first time SJ-8
- 03/05/03 Senate Referred to Committee on Labor, Commerce and Industry SJ-8
- 04/15/03 Senate Committee report: Favorable with amendment Labor, Commerce and Industry
- 04/16/03 Scrivener's error corrected
- 04/24/03 Senate Amended
- 04/24/03 Senate Read second time
- 04/29/03 Scrivener's error corrected
- 05/01/03 Senate Amended
- 05/01/03 Senate Read third time and sent to House
- 05/02/03 Scrivener's error corrected
- 05/06/03 House Introduced and read first time HJ-14
- 05/06/03 House Referred to Committee on Labor, Commerce and Industry HJ-14

**H 3418 General Bill, By Townsend and Lourie**

A BILL TO FURTHER PROVIDE FOR APPLICABLE STANDARDS, WHICH APPLY TO THE CONSTRUCTION, IMPROVEMENT, OR RENOVATION OF PUBLIC SCHOOL BUILDINGS AND PROPERTY, AND TO REQUIRE THE CONSTRUCTION, IMPROVEMENT, OR RENOVATION OF PUBLIC SCHOOL BUILDINGS AND PROPERTY TO BE INSPECTED BY THE STATE SUPERINTENDENT OF EDUCATION OR THE SUPERINTENDENT'S DESIGNEE BEFORE OCCUPANCY AND A CERTIFICATE OF OCCUPANCY OBTAINED FROM THE SUPERINTENDENT; AND TO REPEAL ARTICLE 1, CHAPTER 23, TITLE 59 OF THE 1976 CODE, RELATING TO SCHOOL BUILDING CODES AND INSPECTIONS.

This bill sets up a formal committee which includes professionals, elected officials, and others to develop written standards for school facilities,

**H 3418 General Bill, By Townsend and Lourie, Continued**

with annual review. Develops and articulates specific statewide standards which should result in consistent, improved results for all, particularly our children.

- 01/28/03 House Introduced and read first time HJ-4
- 01/28/03 House Referred to Committee on Education and Public Works HJ-4
- 02/26/03 House Member(s) request name added as sponsor: Lourie
- 03/11/03 House Committee report: Favorable with amendment, Education and Public Works HJ-5
- 03/18/03 House Amended HJ-22
- 03/18/03 House Read second time HJ-23
- 03/19/03 House Read third time and sent to Senate HJ-26
- 03/19/03 Senate Introduced and read first time SJ-10
- 03/19/03 Senate Referred to Committee on Education SJ-1
- 05/21/03 Senate Recalled from Committee on Education SJ-2

**H 3524 General Bill, By Cato, Bingham, Edge, Rice and Sandifer**

A BILL TO REQUIRE ALL STATE AGENCIES CHARGED WITH ENFORCING NATIONAL BUILDING CODES TO ADOPT THE LATEST EDITION OF THE CODE AND TO PROVIDE EXCEPTIONS; TO ESTABLISH PROCEDURES FOR THE ADOPTION OF THESE CODES, INCLUDING NOTICE IN THE STATE REGISTER AND THE OPPORTUNITY FOR PUBLIC COMMENT; AND TO REQUIRE PROPOSED CODES RECEIVING NEGATIVE COMMENTS OR CODES SUBJECT TO PROPOSED AGENCY AMENDMENTS TO BE PROMULGATED AS REGULATIONS.

This bill would require State Agencies currently required to enforce the National Codes adopted for the State, to adopt and meet the latest edition of the National Codes. This bill could have significant impact on energy codes compliance.

- 02/06/03 House Introduced and read first time HJ-6
- 02/06/03 House Referred to Committee on Labor, Commerce and Industry HJ-6

**Electricity, Natural Gas, and Propane - Session 115 - (2003-2004)****S 0009 General Bill, By Hayes, Similar(H 3210)**

A BILL TO ENACT THE "JOINT AGENCY ACT" AND TO PROVIDE FOR SPECIAL PURPOSE DISTRICTS OF THE STATE, SPECIFICALLY THOSE CREATED AND ESTABLISHED FOR THE PURPOSE OF FURNISHING NATURAL GAS THROUGHOUT THEIR RESPECTIVE AREAS, JOINTLY TO UNDERTAKE THE ACQUISITION AND FINANCING OF PROJECTS, SYSTEMS, OR

**S 0009 General Bill, By Hayes, Similar(H 3210), Continued**  
PROGRAMS, TO PROVIDE FOR THE CREATION OF JOINT  
AGENCIES FOR THAT JOINT PURPOSE BY SPECIFYING  
THEIR METHOD OF FORMATION, THEIR MEMBERSHIP, AND  
THE METHOD OF THEIR GOVERNANCE, TO PROVIDE FOR THE  
POWERS OF JOINT AGENCIES, INCLUDING THEIR  
RELATIONSHIPS, CONTRACTUAL AND OTHERWISE, AND  
THOSE OF THEIR MEMBERS, AND TO PROVIDE FOR FINANCING  
OF UNDERTAKINGS OF JOINT AGENCIES AND THE  
OBLIGATIONS OF THEIR MEMBERS IN CONNECTION WITH THE  
FINANCING.

This bill provides for the creation of special alliances such as Joint Agencies, in accordance with the Constitution of the State of South Carolina which provides that any political subdivision may agree with another political subdivision for the joint administration of functions and exercise of power and the sharing of related costs. Natural gas services thus could be provided through joint acquisition and financing. Providing such services in this manner could provide a lower cost for energy.

- 12/04/02 Senate Pre-filed
- 12/04/02 Senate Referred to Committee on Judiciary
- 12/04/02 Scrivener's error corrected
- 01/14/03 Senate Introduced and read first time
- 01/14/03 Senate Referred to Committee on Judiciary
- 01/14/03 Senate Referred to Committee on Judiciary SJ-25
- 01/29/03 Senate Committee report: Favorable Judiciary SJ-17
- 01/30/03 Senate Read second time SJ-15
- 01/30/03 Senate Ordered to third reading with notice of amendments SJ-15
- 02/05/03 Senate Read third time and sent to House SJ-21
- 02/06/03 House Introduced and read first time HJ-13
- 02/06/03 House Referred to Committee on Ways and Means HJ-14
- 02/18/03 House Recalled from Committee on Ways and Means HJ-14
- 02/18/03 House Referred to Committee on Judiciary HJ-15
- 03/19/03 House Committee report: Favorable with amendment Judiciary HJ-38
- 03/25/03 House Debate adjourned until Wednesday, March 26, 2003 HJ-40
- 03/26/03 House Amended HJ-20
- 03/26/03 House Read second time HJ-35
- 03/27/03 House Read third time and returned to Senate with amendments
- 03/27/03 Senate Concurred in House amendment and enrolled SJ-36

**S 0009 General Bill, By Hayes, Similar(H 3210), Continued**

- 04/16/03 Ratified R 25
- 04/21/03 Signed By Governor
- 05/01/03 Copies available
- 05/01/03 Effective date 04/21/03
- 05/12/03 Act No. 8

**S 0082 General Bill, By Knotts(similar to H 3467)**

A BILL TO PROHIBIT A MUNICIPALITY EXTENDING WATER OR ELECTRIC SERVICES TO NONRESIDENTS FROM REQUIRING ANNEXATION AS A CONDITION OF THE RECEIPT OF THE SERVICES.

Said bill would prevent municipalities from requiring annexation as a condition for extension of water and electric services to nonresidents.

- 12/11/02 Senate Pre-filed
- 12/11/02 Senate Referred to Committee on Judiciary
- 01/14/03 Senate Introduced and read first time
- 01/14/03 Senate Referred to Committee on Judiciary

**S 0099 General Bill, By Mescher and Ravenel**

A BILL RELATING TO THE PUBLIC SERVICE AUTHORITY BOARD OF DIRECTORS, SO AS TO PROVIDE THAT MEMBERS OF THE BOARD OF THE AUTHORITY APPOINTED FROM HORRY, BERKELEY, AND GEORGETOWN COUNTIES MUST BE CUSTOMERS OF THE AUTHORITY AND RESIDE IN AUTHORITY TERRITORY AND TO MAKE CERTAIN TECHNICAL CHANGES.

This bill, as noted, would add the requirement that Board Members appointed from Horry, Berkeley, and Georgetown Counties must reside in the service area of the Authority.

- 12/18/02 Senate Prefiled SJ-59
- 12/18/02 Senate Referred to Committee on Judiciary
- 01/14/03 Senate Introduced and read first time SJ-59
- 01/14/03 Senate Referred to Committee on Judiciary SJ-59

**S 0208 General Bill, By McConnell and Moore**

A BILL RELATING TO THOSE OFFICERS WHO ARE SUBJECT TO REMOVAL BY THE GOVERNOR, SO AS TO INCLUDE THE EXECUTIVE DIRECTOR OF THE OFFICE OF PUBLIC STAFF; TO REVISE THE PROCEDURES APPLICABLE TO CANDIDATES FOR THE PUBLIC SERVICE COMMISSION WHO SEEK THE PLEDGE OF A MEMBER OF THE GENERAL ASSEMBLY; TO AMEND PART 6 OF CHAPTER 6 OF TITLE 37, RELATING TO THE DEPARTMENT OF CONSUMER AFFAIRS' DIVISION OF CONSUMER ADVOCACY, SO AS TO REVISE THE DIVISION'S JURISDICTION; TO AMEND ARTICLE 1, CHAPTER 3 OF TITLE 58, RELATING TO THE GENERAL PROVISIONS APPLICABLE TO THE PUBLIC SERVICE



**S 0208 General Bill, By McConnell and Moore, Continued**

COMMISSION, BY ADDING SECTION 58-3-5 SO AS TO PROVIDE DEFINITIONS, AND, AMONG OTHER THINGS, REVISE THE QUALIFICATIONS APPLICABLE TO CANDIDATES FOR THE COMMISSION, STAGGER THE TERMS OF MEMBERS OF THE COMMISSION, PROVIDE THAT A MEMBER OF THE GENERAL ASSEMBLY OR AN IMMEDIATE FAMILY MEMBER OF A MEMBER OF THE GENERAL ASSEMBLY MAY NOT BE ELIGIBLE FOR ELECTION TO THE PUBLIC SERVICE COMMISSION DURING THE MEMBER'S TERM OF OFFICE AND FOR A PERIOD OF FOUR YEARS AFTER HE CEASES TO BE A MEMBER OF THE GENERAL ASSEMBLY; BY ADDING SECTION 58-3-25 SO AS TO PROVIDE THAT A PERSON WHOSE BUSINESS IS REGULATED BY THE COMMISSION MAY NOT SERVE AS A MEMBER OF THE COMMISSION; BY ADDING SECTION 58-3-30 SO AS TO PROVIDE THAT COMMISSIONERS ARE BOUND BY THE CODE OF JUDICIAL CONDUCT; BY ADDING SECTION 58-3-135 SO AS TO ESTABLISH REQUIREMENTS FOR ALL FINAL COMMISSION ORDERS AND DECISIONS; BY ADDING SECTION 58-3-140 SO AS TO PROVIDE PROCEDURES AND REQUIREMENTS RELATING TO PROHIBITED AND PERMITTED COMMUNICATIONS BY MEMBERS AND STAFF OF THE COMMISSION INCLUDING EX PARTE COMMUNICATIONS BY THESE PERSONS; BY ADDING SECTION 58-3-145 SO AS TO PROVIDE PROCEDURES FOR A PARTY SEEKING RELIEF FROM AN ALLEGED IMPROPER COMMUNICATION; BY ADDING SECTION 58-3-150 SO AS TO PROVIDE THAT A FORMER COMMISSIONER MAY NOT BE EMPLOYED BY A PUBLIC UTILITY FOR A PERIOD OF ONE YEAR FOLLOWING HIS SERVICE ON THE COMMISSION; BY ADDING ARTICLE 5 TO CHAPTER 3, TITLE 58 SO AS TO ESTABLISH THE PUBLIC SERVICE COMMISSION AND OFFICE OF PUBLIC STAFF REVIEW COMMITTEE AND TO PROVIDE FOR ITS MEMBERSHIP, POWERS, AND DUTIES; BY ADDING CHAPTER 4 TO TITLE 58 SO AS TO CREATE THE OFFICE OF PUBLIC STAFF AS A SEPARATE STATE AGENCY AND PROVIDE FOR ITS JURISDICTION POWERS, DUTIES, AND RESPONSIBILITIES; AND TO REPEAL SECTIONS 58-3-67 AND 58-3-93 EFFECTIVE JULY 1, 2004.

This bill would revise and add the explicit, stated conditions to be met by candidates for the Public Service Commission. Additionally, the bill staggers the terms of Commission Members, and creates the Office of Public Staff Review Committee as a separate State Agency, and provides for its jurisdiction, powers, duties and responsibilities.

- 01/16/03 Senate Introduced and read first time SJ-11
- 01/16/03 Senate Referred to Committee on Judiciary SJ-11
- 03/26/03 Senate Committee report: Favorable with amendment Judiciary SJ-35

**S 0208 General Bill, By McConnell and Moore, Continued**

- 03/27/03 Senate Amended SJ-39
- 03/27/03 Senate Read second time SJ-39
- 03/27/03 Senate Ordered to third reading with notice of amendments SJ-39
- 04/01/03 Senate Debate interrupted SJ-15
- 04/02/03 Senate Amended SJ-34
- 04/02/03 Senate Debate interrupted SJ-36
- 04/03/03 Senate Amended
- 04/03/03 Senate Read third time and sent to House
- 04/08/03 House Introduced, read first time, placed on calendar without reference
- 04/09/03 House Amended HJ-35
- 04/09/03 House Read second time HJ-42
- 04/10/03 House Read third time and returned to Senate with amendments
- 04/15/03 Senate House amendment amended
- 04/15/03 Senate Returned to House with amendments
- 04/23/03 House Non-concurrence in Senate amendment
- 04/23/03 Senate Senate insists upon amendment and Conference committee appointed Sens. Moore, Alexander, Waldrep
- 04/23/03 House Conference committee appointed Reps. Cato, Sandifer and Jennings

**S 0302 General Bill, By Fair(similar to S 0082 & H3467)**

A BILL TO PROHIBIT A MUNICIPALITY EXTENDING WATER OR ELECTRIC SERVICES TO NONRESIDENTS FROM REQUIRING ANNEXATION AS A CONDITION OF THE RECEIPT OF THE SERVICES.

Said bill would prevent municipalities from requiring annexation as a condition for extension of water and electric services to nonresidents.

- 01/30/03 Senate Introduced and read first time
- 01/30/03 Senate Referred to Committee on Judiciary

**S 0327 General Bill, By J.V. Smith, Alexander and Hayes  
Similar(H 3566)**

A BILL TO AMEND ARTICLE 1, CHAPTER 3, TITLE 58, CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 58-3-250 SO AS TO PROVIDE THE PUBLIC SERVICE COMMISSION WITH THE AUTHORITY TO ISSUE FINES AND SEEK INJUNCTIONS FOR FAILURE TO COMPLY WITH STATUTES, REGULATIONS, OR ORDERS OF THE COMMISSION.

This bill gives the commission authority to impose a fine of not more than one hundred thousand dollars upon any entity subject to its jurisdiction

**S 0327 General Bill, By J.V. Smith, Alexander and Hayes**  
**Similar(H 3566), Continued**

under Title 58 which is found to have willfully violated or refused to comply with any statute, regulation, or order of the commission. Each day the violation or noncompliance continues shall be considered a separate and distinct violation. Any fine so imposed shall go into the general fund of the state.

- 02/05/03 Senate Introduced and read first time SJ-6
- 02/05/03 Senate Referred to Committee on Judiciary SJ-6

**H 3210 General Bill, By Delleney, Altman, Stille and Richardson**  
**Similar(S 0009)**

A BILL TO ENACT THE "JOINT AGENCY ACT" AND TO PROVIDE FOR SPECIAL PURPOSE DISTRICTS OF THE STATE CREATED AND ESTABLISHED FOR THE PURPOSE OF JOINTLY UNDERTAKING THE ACQUISITION AND FINANCING OF PROJECTS, SYSTEMS, OR PROGRAMS, TO PROVIDE FOR THE CREATION OF JOINT AGENCIES FOR THAT JOINT PURPOSE BY SPECIFYING THEIR METHOD OF FORMATION, THEIR MEMBERSHIP, AND THE METHOD OF THEIR GOVERNANCE, TO PROVIDE FOR THE POWERS OF JOINT AGENCIES, INCLUDING THEIR RELATIONSHIPS, CONTRACTUAL AND OTHERWISE, AND THOSE OF THEIR MEMBERS, AND TO PROVIDE FOR FINANCING OF UNDERTAKINGS OF JOINT AGENCIES & THE OBLIGATIONS OF THEIR MEMBERS IN CONNECTION WITH THE FINANCING.

As noted, this bill is similar to S0009.

- 12/18/02 House Pre-filed
- 12/18/02 House Referred to Committee on Ways and Means
- 01/14/03 House Introduced and read first time HJ-86

**H 3240 General Bill, By Coates and Altman**

A BILL RELATING TO SALES TAX EXEMPTIONS GENERALLY INCLUDING THE EXEMPTION FOR THE SALE OF NATURAL GAS, LP GAS, AND ELECTRICITY TO PRODUCE CERTAIN AGRICULTURAL PRODUCTS OR ANIMALS, SO AS TO PROVIDE THAT THIS EXEMPTION EXTENDS TO THE SALE OF PROPANE GAS FOR THESE PURPOSES AND TO PROVIDE THAT THE SALE OF THESE GASES OR ELECTRICITY TO PRODUCE IN GREENHOUSES AGRICULTURAL PLANTS THAT ARE SUBSEQUENTLY REPLANTED IS ALSO EXEMPT FROM THE SALES TAX.

This bill would extend certain agricultural products and animals sales tax exemptions to the agricultural plants produced in greenhouses for replanting. Thus, sales tax would not be charged on fuels used to produce greenhouse agricultural plants grown for replanting.

- 12/18/02 House Pre-filed

**H 3240 General Bill, By Coates and Altman, continued**

- 12/18/02 House Referred to Committee on Ways and Means
- 01/14/03 House Introduced and read first time HJ-99
- 01/14/03 House Referred to Committee on Ways and Means HJ-99

**H 3295 General Bill, By J.E. Smith (similar to S 0208)**

A BILL RELATING TO MEMBERS OF THE PUBLIC SERVICE COMMISSION AND THEIR TERMS OF OFFICE, SO AS TO LENGTHEN THE TERMS OF CERTAIN MEMBERS OF THE COMMISSION ELECTED IN 2003 IN ORDER TO STAGGER TERMS OF MEMBERS OF THE COMMISSION; TO AMEND SECTION 58-3-24, AS AMENDED, RELATING TO MEMBERS OF THE GENERAL ASSEMBLY AND FORMER MEMBERS FOR A PERIOD OF FOUR YEARS AFTER THEY CEASE TO BE MEMBERS OF THE GENERAL ASSEMBLY BEING INELIGIBLE FOR ELECTION TO THE PUBLIC SERVICE COMMISSION, SO AS TO PROVIDE THAT NO FAMILY MEMBER OF A PERSON SERVING IN THE GENERAL ASSEMBLY MAY BE ELECTED TO THE PUBLIC SERVICE COMMISSION; AND BY ADDING SECTION 58-3-85 SO AS TO PROVIDE PROCEDURES AND REQUIREMENTS RELATING TO PROHIBITED AND PERMITTED COMMUNICATIONS BY MEMBERS AND STAFF OF THE PUBLIC SERVICE COMMUNICATIONS INCLUDING EX PARTE COMMUNICATIONS BY THESE PERSONS.

This bill, as noted similar to S 0208, calls for staggered terms for Commission Members, as well as certain criteria for members. The bill also sets conditions for communications by members and staff, including ex parte communications.

- 01/14/03 House Introduced and read first time HJ-115
- 01/14/03 House Referred to Committee on Labor, Commerce and Industry HJ-116

**H 3296 Concurrent Resolution, By Cato, Young, Sandifer, Wilkins, Witherspoon, Quinn, Altman, Bingham, Ceips, Chellis, Clark, Clemmons, Clyburn, Coates, Cotty, Dantzler, Duncan, Edge, Harrison, Haskins, Herbkersman, Hosey, Huggins, Leach, Limehouse, Littlejohn, Loftis, Lucas, Merrill, Owens, Scarborough, Scott, Skelton, D.C. Smith, G.M. Smith, W.D. Smith, Stewart, Thompson, Toole, Tripp, Trotter, Umphlett, Vaughn, Viers, Walker and White**  
A CONCURRENT RESOLUTION TO FIX 12:30 P.M. ON TUESDAY, JANUARY 28, 2003, AS THE TIME FOR THE HOUSE OF REPRESENTATIVES AND THE SENATE TO MEET IN JOINT SESSION IN THE HALL OF THE HOUSE OF REPRESENTATIVES

**H 3296 Concurrent Resolution, By Cato, Young, Sandifer, Wilkins, Witherspoon, Quinn, Altman, Bingham, Ceips, Chellis, Clark, Clemmons, Clyburn, Coates, Cotty, Dantzler, Duncan, Edge, Harrison, Haskins, Herbkersman, Hosey, Huggins, Leach, Limehouse, Littlejohn, Loftis, Lucas, Merrill, Owens, Scarborough, Scott, Skelton, D.C. Smith, G.M. Smith, W.D. Smith, Stewart, Thompson, Toole, Tripp, Trotter, Umphlett, Vaughn, Viers, Walker and White, Continued**

FOR THE PURPOSE OF ELECTING MEMBERS OF THE PUBLIC SERVICE COMMISSION TO SUCCEED THOSE MEMBERS WHOSE TERMS EXPIRED IN 2002, OR WHOSE POSITIONS OTHERWISE MUST BE FILLED; AND TO ESTABLISH A PROCEDURE REGARDING NOMINATIONS AND NOMINATING AND SECONDING SPEECHES FOR THE CANDIDATES FOR THESE OFFICES DURING THE JOINT SESSION.

This bill sets a specific date for a joint session of the House and Senate for the purpose of electing members of the Public Service Commission to succeed members whose terms are expiring.

- 01/14/03 House Introduced, adopted, sent to Senate HJ-127
- 01/16/03 Senate Introduced SJ-21
- 01/16/03 Senate Referred to Committee on Judiciary SJ-21

**H 3467 General Bill, By Huggins, E.H. Pitts, Koon and Frye**

A BILL TO PROHIBIT A MUNICIPALITY EXTENDING WATER, SEWER, OR ELECTRIC SERVICES TO NONRESIDENTS FROM REQUIRING ANNEXATION AS A CONDITION OF THE RECEIPT OF THE SERVICES.

Said bill would prevent municipalities from requiring annexation as a condition for extension of water and electric services to nonresidents.

- 01/29/03 House Introduced and read first time HJ-36
- 01/29/03 House Referred to Committee on Judiciary HJ-37
- 02/13/03 House Member(s) request name added as sponsor:  
Cotty

**H 3530 General Bill, By Cato, Wilkins, Sandifer, Young and Cotty**

A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 58-3-27 SO AS TO PROHIBIT MEMBERSHIP ON AND RESTRICT EMPLOYMENT BY THE PUBLIC SERVICE COMMISSION OF A PERSON ASSOCIATED WITH A REGULATED BUSINESS; BY ADDING SECTION 58-3-35 SO AS TO PROVIDE FOR ETHICS STANDARDS AND REQUIREMENTS FOR PUBLIC SERVICE COMMISSIONERS; BY ADDING SECTION 58-3-65 SO AS TO ESTABLISH AN ADVISORY STAFF AND AN ADVOCACY STAFF FOR THE COMMISSION AND DESCRIBE THEIR RESPONSIBILITIES; AND BY ADDING SECTION 58-3-400 SO AS TO PROHIBIT EX PARTE

**H 3530 General Bill, By Cato, Wilkins, Sandifer, Young and Cotty,  
Continued:**

COMMUNICATIONS WITH AND BY A COMMISSIONER OR ADVISORY STAFF IN CONNECTION WITH A PENDING PROCEEDING; TO AMEND SECTION 58-3-20, AS AMENDED, RELATING TO ESTABLISHMENT OF THE PUBLIC SERVICE COMMISSION, SO AS TO PROVIDE FOR QUALIFICATIONS, SCREENING, AND TERMS OF MEMBERSHIP; TO AMEND SECTION 58-3-24, AS AMENDED, RELATING TO PERSONS INELIGIBLE TO SERVE ON THE PUBLIC SERVICE COMMISSION, SO AS TO ALLOW A MEMBER OF THE GENERAL ASSEMBLY TO SERVE FOUR YEARS AFTER HE HAS NOT FILED FOR REELECTION TO THE GENERAL ASSEMBLY; TO AMEND PART 6, CHAPTER 6, TITLE 37, RELATING TO THE DIVISION OF CONSUMER ADVOCACY OF THE DEPARTMENT OF CONSUMER AFFAIRS, SO AS TO DELETE ANY RESPONSIBILITIES OF THE DIVISION IN CONNECTION WITH THE PUBLIC SERVICE COMMISSION; TO AMEND SECTION 8-13-90, RELATING TO SEEKING OR OFFERING PLEDGES OF VOTES, SO AS TO PROHIBIT THE DIRECT OR INDIRECT SEEKING OF A PLEDGE OR COMMUNICATION ABOUT SCREENING UNTIL CANDIDATES FOR THE OFFICE ARE DETERMINED; AND TO REPEAL SECTION 58-3-60 RELATING TO EMPLOYMENT OF STAFF FOR THE PUBLIC SERVICE COMMISSION.

This bill prohibits membership or employment of the commission of a person associated with a regulated business. It establishes an advisory staff and an advocacy staff for the commission, and describes their responsibilities. The bill provides for qualifications, screening and terms of membership of the commission. A member of the General Assembly may serve on the commission after not filing for reelection for four years. After June 30, 2003, the Division of Consumer Advocacy in the Department of Consumer Affairs is not responsible for representing consumers in matters arising under Title 58. Bill prohibits the seeking or offering of pledges of votes until the candidates are determined to qualify for election by the appropriate committee.

- 02/06/03 House Introduced and read first time HJ-8
- 02/06/03 House Referred to Committee on Labor, Commerce and Industry HJ-9
- 02/06/03 Scrivener's error corrected
- 02/13/03 House Member(s) request name added as sponsor: Cotty
- 02/19/03 House Committee report: Favorable with amendment Labor, Commerce and Industry HJ-2

**H 3530 General Bill, By Cato, Wilkins, Sandifer, Young and Cotty,  
Continued:**

- 02/20/03 House Requests for debate-Rep(s). Cato, Richardson, Trotter, Rice, Scarborough, Skelton, Bowers, JE Smith, Sandifer, EH Pitts, Moody-Lawrence, Jennings, Hayes, Clyburn and Branham HJ-22
- 02/20/03 Scrivener's error corrected
- 02/26/03 House Member(s) request name added as sponsor: Edge, Owens
- 02/26/03 House Amended HJ-37
- 02/26/03 House Read second time HJ-95
- 02/26/03 House Roll call Yeas-103 Nays-8 HJ-96
- 02/26/03 House Ordered to third reading with notice of amendments HJ-94
- 02/27/03 House Read third time and sent to Senate HJ-25
- 02/27/03 Scrivener's error corrected
- 03/04/03 Senate Introduced and read first time SJ-12
- 03/04/03 Senate Referred to Committee on Judiciary SJ-12
- 04/09/03 Senate Recalled from Committee on Judiciary SJ-13

**H 3566 General Bill, By Cato Similar(S 0327)**

A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 58-3-250 SO AS TO AUTHORIZE THE PUBLIC SERVICE COMMISSION TO IMPOSE MONETARY FINES UPON COURT APPROVAL AND OTHER PENALTIES INCLUDING CERTIFICATE REVOCATION UPON AN ENTITY SUBJECT TO ITS JURISDICTION FOR WILFUL VIOLATION OF OR REFUSAL TO COMPLY WITH ANY STATUTE, REGULATION, OR ORDER OF THE COMMISSION, AND TO PROVIDE THAT THE COMMISSION ALSO MAY INSTITUTE A PROCEEDING FOR INJUNCTIVE RELIEF IN THE COURT OF COMMON PLEAS TO COMPEL AN ENTITY TO COMPLY WITH ANY STATUTE, REGULATION, OR ORDER OF THE COMMISSION.

This bill, as noted similar to S 0327, gives the commission authority to impose a fine of not more than one hundred thousand dollars upon any entity subject to its jurisdiction under Title 58 which is found to have willfully violated or refused to comply with any statute, regulation, or order of the commission. Each day the violation or noncompliance continues shall be considered a separate and distinct violation.

- 02/11/03 House Introduced and read first time HJ-11
- 02/11/03 House Referred to Committee on Labor, Commerce and Industry

**Transportation– Session 115 – (2003 – 2004)**

**S 0176 General Bill, By Richardson**

A BILL TO IMPOSE A USER FEE EQUAL TO FIVE CENTS A GALLON ON GASOLINE AND OTHER MOTOR FUELS AND THE ROAD TAX ON MOTOR CARRIERS, TO PROVIDE FOR FURTHER INCREASES IN THESE USER FEES ANNUALLY BASED ON INCREASES IN THE CONSUMER PRICE INDEX TO PROVIDE FOR THE PAYMENT, COLLECTION, ENFORCEMENT, AND USES OF THESE USER FEES, AND TO REPEAL SECTIONS 12-28-2730 AND 12-28-2910, RELATING TO THE CREDITING OF A PORTION OF MOTOR FUEL TAX REVENUES TO THE SPECIAL WATER RECREATIONAL RESOURCES FUND AND THE ECONOMIC DEVELOPMENT ACCOUNT.

This bill provides for imposition of a “User Fee” of 5 cents a gallon on gasoline and other motor fuels and road tax on motor carriers, in addition to the existing tax, and calls for that portion currently going to the Special Water Recreational Resources Fund and the Economic Development Account to cease, and for those monies to be used for road maintenance and improvements. Said 5 cents “User Fee” would be adjusted annually in accordance with the Consumer Price Index.

- 01/14/03 Senate Introduced and read first time SJ-93
- 01/14/03 Senate Referred to Committee on Finance SJ-93

**S 0556 General Bill, By Gregory, Similar (H 3863)**

A BILL TO ENACT THE "SOUTH CAROLINA NEIGHBORHOOD AND COMMUNITY SCHOOLS ACT" INCLUDING PROVISIONS TO AMEND CHAPTER 23, TITLE 59, CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 2 SO AS TO PROVIDE FOR APPLICABLE STANDARDS AND SPECIFICATIONS, WHICH APPLY TO THE CONSTRUCTION, IMPROVEMENT, OR RENOVATION OF PUBLIC SCHOOL BUILDINGS AND PROPERTY AND TO PROVIDE THAT SCHOOL BUILDING STANDARDS AND SPECIFICATIONS MAY NOT HAVE ANY REQUIREMENTS RELATING TO MINIMUM LOT OR PARCEL SIZE; TO REPEAL ARTICLE 1, CHAPTER 23 OF TITLE 59 RELATING TO SCHOOL BUILDING CODES AND INSPECTIONS, TO ADD ARTICLE 5 TO CHAPTER 23, TITLE 59 SO AS TO REQUIRE THAT BEGINNING JULY 1, 2004, A PLAN FOR A NEW EDUCATIONAL FACILITY MUST BE A PLAN FOR A NEIGHBORHOOD SCHOOL, TO PROVIDE EXCEPTIONS, TO PROVIDE THAT A SCHOOL THAT DOES NOT MEET THE DEFINITION OF A NEIGHBORHOOD SCHOOL SHALL SUBDIVIDE INTO SCHOOLS-WITHIN-A-SCHOOL.

This Bill could enhance energy savings in that an intended result is to reduce mileage that students must travel in order to attend school. Over time, location of new schools in neighborhoods close to students should



**S 0556 General Bill, By Gregory, Similar (H 3863), continued**  
reduce motor vehicle fuel consumption.

- 04/03/03 Senate Introduced and read first time SJ-4
- 04/03/03 Senate Referred to Committee on Education SJ-4

**H 3863 General Bill, By Leach, Edge, Duncan, Frye, Hamilton, Harrell, Haskins, Herbkersman, Koon, McGee, Merrill, Neilson, Owens, Perry, Phillips, Quinn, Rice, Sandifer, D.C. Smith, F.N. Smith, Snow, Stille, Taylor, Toole, Townsend, Vaughn and Witherspoon**  
**Similar(S 0556)**

A BILL TO ENACT THE "SOUTH CAROLINA NEIGHBORHOOD AND COMMUNITY SCHOOLS ACT" INCLUDING PROVISIONS TO AMEND CHAPTER 23, TITLE 59, CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 2 SO AS TO PROVIDE FOR APPLICABLE STANDARDS AND SPECIFICATIONS, WHICH APPLY TO THE CONSTRUCTION, IMPROVEMENT, OR RENOVATION OF PUBLIC SCHOOL BUILDINGS AND PROPERTY AND TO PROVIDE THAT SCHOOL BUILDING STANDARDS AND SPECIFICATIONS MAY NOT HAVE ANY REQUIREMENTS RELATING TO MINIMUM LOT OR PARCEL SIZE; TO REPEAL ARTICLE 1, CHAPTER 23 OF TITLE 59 RELATING TO SCHOOL BUILDING CODES AND INSPECTIONS, TO ADD ARTICLE 5 TO CHAPTER 23, TITLE 59 SO AS TO REQUIRE THAT BEGINNING JULY 1, 2004, A PLAN FOR A NEW EDUCATIONAL FACILITY MUST BE A PLAN FOR A NEIGHBORHOOD SCHOOL, TO PROVIDE EXCEPTIONS, TO PROVIDE THAT A SCHOOL THAT DOES NOT MEET THE DEFINITION OF A NEIGHBORHOOD SCHOOL SHALL SUBDIVIDE INTO SCHOOLS-WITHIN-A-SCHOOL.

Like Senate Bill 0556, this Bill could enhance energy savings in that an intended result is to reduce mileage that students must travel in order to attend school. Over time, location of new schools in neighborhoods close to students should reduce motor vehicle fuel consumption.

- 03/26/03 House Introduced and read first time HJ-74
- 03/26/03 House Referred to Committee on Education and Public Works HJ-74
- 05/21/03 House Member(s) request name removed as sponsor:  
Owens

## **Nuclear Issues - Session 115 - (2003-2004)**

### **S 0021 General Bill, By Knotts**

A BILL TO AMEND SECTIONS 14-7-1610, 14-7-1615, 14-7-1630, ALL AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE STATE GRAND JURY SYSTEM, SO AS TO REVISE ITS JURISDICTION TO INCLUDE ENVIRONMENTAL OFFENSES.

This Bill, as stated, grants jurisdiction for environmental offenses to the State Grand Jury System. Offenses related to energy production and delivery, would be covered.

- 12/04/02 Senate Pre-filed
- 12/04/02 Senate Referred to Committee on Judiciary
- 01/14/03 Senate Introduced and read first time
- 01/14/03 Senate Referred to Committee on Judiciary

### **H 3122 General Bill, By J.E. Smith**

A BILL TO EXEMPT A BUSINESS WHOSE PRIMARY PURPOSE IS THE LAUNDERING OF MATERIAL WHICH CONTAINS RADIOACTIVE MATERIALS, REGULATED BY THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL PURSUANT TO THE PROVISIONS OF REGULATION 61-63 (RADIOACTIVE MATERIALS).

This bill addresses the location of facilities which launder any materials containing radioactive waste. It restricts their location to specific areas which have no potential impact on the environment, residences or citizens of an area.

- 12/04/02 House Pre-filed
- 12/04/02 House Referred to Committee on Agriculture,
- 01/14/03 House Introduced and read first time HJ-52
- 01/14/03 House Referred to Committee on Agriculture,  
Natural Resources and Environmental Affairs HJ-53

## **Other**

### **S 0609 General Bill, By McConnell, Martin, Courson, Richardson, Ryberg, Grooms, Mescher, Drummond and Reese**

A BILL TO ENACT THE "SOUTH CAROLINA RESTRUCTURING ACT OF 2003" BY ESTABLISHING THE DEPARTMENT OF ADMINISTRATION AS AN AGENCY OF THE EXECUTIVE BRANCH OF STATE GOVERNMENT TO BE HEADED BY A DIRECTOR APPOINTED BY THE GOVERNOR UPON THE ADVICE AND CONSENT OF THE SENATE, AND TO TRANSFER TO THIS NEWLY CREATED DEPARTMENT CERTAIN OFFICES AND DIVISIONS OF THE STATE BUDGET AND CONTROL BOARD, OFFICE OF THE GOVERNOR, AND OTHER AGENCIES.

**S 0609 General Bill, By McConnell, Martin, Courson, Richardson, Ryberg, Grooms, Mescher, Drummond and Reese, continued**

This bill would restructure the Budget and Control Board, and transfer a number of its units to a newly created Department of Administration, which would be a part of the Governor's Cabinet. Among those units moved from the Budget and Control Board to the new Department of Administration would be the South Carolina Energy Office.

- 04/16/03 Senate Introduced and read first time SJ-22
- 04/16/03 Senate Referred to Committee on Judiciary SJ-22

**H 4127, General Bill by Wilkins, Harrell, Quinn, Harrison, W. D. Smith, Cotty, Cato, Young, Tripp, Leach, Pinson, Koon, Altman, Bingham, Ceips, Chellis, Clark, Davenport, Delleney, Duncan, Edge, Frye, Gilham, Hagood, Hamilton, Haskins, Herbkersman, Hinson, Keegan, Limehouse, Mahaffey, McGee, Merrill, M. A. Pitts, Rice, Sandifer, Scarborough, Skelton, D. C. Smith, G. M. Smith, J. R. Smith and Toole: Similar to S0609**

A BILL TO ENACT THE "SOUTH CAROLINA RESTRUCTURING ACT OF 2003" BY ESTABLISHING THE DEPARTMENT OF ADMINISTRATION AS AN AGENCY OF THE EXECUTIVE BRANCH OF STATE GOVERNMENT TO BE HEADED BY A DIRECTOR APPOINTED BY THE GOVERNOR UPON THE ADVICE AND CONSENT OF THE SENATE AND TO TRANSFER TO THIS NEWLY CREATED DEPARTMENT CERTAIN OFFICES AND DIVISIONS OF THE STATE BUDGET AND CONTROL BOARD, OFFICE OF THE GOVERNOR, AND OTHER AGENCIES.

This bill would restructure the Budget and Control Board, and transfer a number of its units to a newly created Department of Administration, which would be a part of the Governor's Cabinet. The South Carolina Energy Office would remain within the Budget and Control Board.

- 04/30/03 House Introduced and read first time HJ - 101
- 04/30/03 House Referred to Committee on Ways and Means  
HJ - 102